

D. C. Zoning Commission

Comments on the Draft Code developed through the

Zoning Regulation Review

Testimony Patricia Howard-Chittams

Secretary, Advisory Neighborhood Commission 7B and

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Good evening, Members of the Zoning Commission. I am Patricia Howard-Chittams, Secretary of ANC 7B and SMD 7B01 representative. The commission discussed these comments at an executive committee meeting of the ANC at which a quorum was present.

We acknowledge that the draft document no longer calls for reduced parking minimums along major busways. Unfortunately, this does not go far enough for some neighborhoods. One is failing to take into consideration that persons living in the vicinity of METRO stations will primarily commute via METRO. This assumption fails to consider that:

Many Southeast residents hold low-wage jobs that are located outside of the central business district. In addition, many individuals holding low-wage jobs work very late or very early shifts or how down more than one position which could be widely separated. For such individuals, proximity to a Metro station does not obviate the need for a car. If you drive a car to work, you need to be able to park it when you come home.

This proposal also fails to take into consideration that Metro is cutting service to significant areas of South East. One recent reduction in service has caused former METRO riders to now return to driving their vehicles. This is because the trip used to take one hour from the Naylor Road Metro Station, and has now become a two hour commute, jeopardizing the employment of many of the riders. As a Registered Nurse, I would never rely on Metro to get me to my place of employment on time.

Reduced minimum parking requirements is not the answer for southeast.

We request the retention of minimum lot sizes. In the 2013 draft, the minimum lot sizes required for lots with a principal dwelling and an accessory unit were the same as the lot sizes required for a lot with only a principal dwelling, ie, 7500 sq. ft for R-1-A, 5000 sq. ft for R-1-B, etc. Lots smaller than the proposed minimums would be substandard. If a lot is too small for a single dwelling unit, it certainly is too small for a principal unit and an accessory dwelling, whether that accessory unit is located inside or outside the principal unit.

No accessory dwelling outside the principal dwelling should touch a side or rear lot line. In many neighborhoods, lots share a rear lot line no alley divides them. To allow an accessory dwelling to abut such a rear lot-line or any side-lot line – eviscerates privacy-protecting rear- and side-yard setbacks. The Zoning Commission no doubt remembers that at the beginning of the ZRR process, the OP proposed to reduce side yards to 3 feet. Faced with widespread protests, OP increased side yards to 5 feet, then back to the current 8 feet. Given this history demonstrating the sanctity of setbacks, it makes no sense to allow accessory dwellings not to comply with setbacks.

In addition, as one who works in the health care field, I am concerned about the Accessory Dwellings in general. Those who do not know their history are doomed to repeat it. In the 1880's the Alley Dwelling Authority was a government program that sought to regulate the alley dwellings within Washington, DC. The issue with these units was over-population which caused a public health issue. As late as 1944, these dwellings existed within the confines of the District of Columbia. The Alley Dwelling Authority then began to remove these dwellings by removing entire alleys and rebuilt the homes in many areas. I am concerned that we are turning the clock back and rebuilding what was removed in the last century. We may well face the same issues as a result.

All members of ANC 7B have expressed their concern about the loss of review authority owing to the increased number of matter-of-right provisions in the rewritten code for actions that formerly required a special exception. While some of the new MOR provisions have been rolled back, notably the accessory dwelling provisions, I am no longer sure what's in and what's out of the ANC's jurisdiction. Is there a comprehensive list of the new MOR provisions? My ANC very strongly wants to retain its existing scope of review authority.

At various times in this process the residents of ANC 7B have requested an overlay or customized zone that embodies in enforceable code language provisions of our Small Area Plan. We have also inquired about a tree and slope overlay for those portions of the neighborhood adjacent to Fort Dupont Park. We have been rebuffed and told to come back later after the new code is adopted. It is like a pig-in-a-poke, "we're from the

government, trust us". This is inconsistent with the manner in which more affluent neighborhoods have been treated in the ZRR process.

Thank you for the opportunity to comment.

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Submitted on 9/15/2014 by:

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